

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NO LABELS,

Plaintiff,

v.

NOLABELS.COM INC.,

Defendant.

Case No. 1:23-cv-01384-GBW

**SECOND DECLARATION OF LESLIE E. HARTFORD IN SUPPORT OF
MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR
MOTION FOR PRELIMINARY INJUNCTION**

I, Leslie E. Hartford, declare that the following is true and correct to the best of my knowledge, information, and belief:

1. I am over the age of 18 and I make this affidavit based on personal knowledge.
2. I am an attorney with the law firm Nixon Peabody LLP, 53 State Street, Exchange Place, Boston, Massachusetts 02109, representing Plaintiff No Labels (“No Labels” or “Plaintiff”).
3. I make this declaration in further support of Plaintiff’s Motion for Temporary Restraining Order and/or Motion for Preliminary Injunction based on my information, knowledge and belief and the records in this matter.
4. Prior to No Labels commencing this action against NoLabels.com Inc., I visited the No Labels website (nolabels.org) and the NoLabels.com Inc. website (nolabels.com) multiple times. Prior to commencing this action, there was no language on nolabels.com disclaiming any affiliation between the two websites. *See* Attachment A, Nov. 30, 2023 Screenshot.
5. After No Labels served its Complaint and Motion for Temporary Restraining Order and/or Motion for Preliminary Injunction, I again visited nolabels.com and noticed the addition of

a small disclaimer at the base of the website that states “NoLabels.com is not affiliated with NoLabels.org.” *See* Attachment B, Dec. 14, 2023 Screenshot.

6. Separately, I attach here true and accurate copies of a sampling of articles concerning No Labels from the *Wall Street Journal* (*see* Attachments C and D), the *Washington Post* (*see* Attachment E), *Politico* (*see* Attachment F), and *The Hill* (*see* Attachment G).

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 14th day of December, 2023.

A handwritten signature in cursive script, appearing to read "L. Hartford", written in black ink.

Leslie E. Hartford, Esq.
Nixon Peabody LLP
Exchange Place, 53 State Street
Boston, MA 02109-2835
Email: lhartford@nixonpeabody.com

ATTACHMENT A

NO LABELS.COM

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THE POWER OF UNITY AND REASON

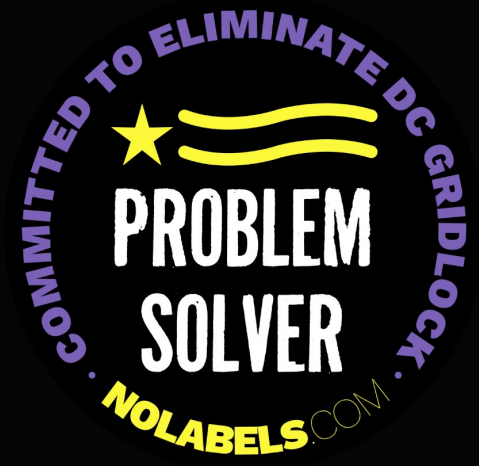
NoLabels.com ignites a movement against political decay, championing dialogue and sense. We embody our Founders' dreams.

We salute the bold candidates running under the No Labels Party banner.

We're the dynamic force disrupting political gridlock, united for America's future. We're the industrious voice, ready to roar.

Discover our No Labels champions.

Join us >

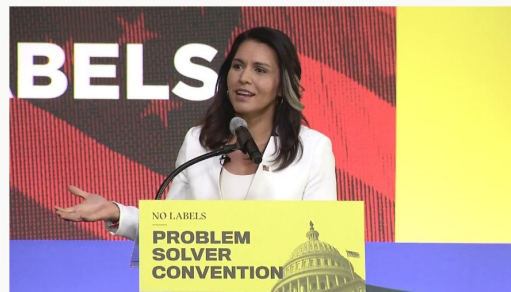


NoLabels.com Initiatives

NoLabels.com is a hub for No Labels Party supporters to foster discussions and solutions. We're dedicated to a united future, offering voters options that resonate with core American values.

NoLabels.com Leaders

Discover the fighters challenging the entrenched DC elite and how they're redefining politics from the White House to local government.



Former U.S. Rep. Tulsi Gabbard, Hawaii, who ran for President in 2020



No Labels U.S. Senate Candidate, Tyson Draper, Arizona

We are Problem Solvers, embodying resilience and courage, advocating for the right causes.

From Tulsi Gabbard in Hawaii to Tyson Draper in Arizona, we spotlight our nation's leaders and their advocates.

We aim to expand our NoLabels.com community, supporting our candidates and Americans disillusioned with current politics.



U.S. Speaker of the House Rep. Mike Johnson, Louisiana, and Third in Line to the Presidency

What We *Stand For*

We stand for the American Way of Life.

The American Dream isn't something handed down to us on a silver platter. It's a commitment, a responsibility, to safeguard our rights and freedoms from the tyranny of the corrupt, powerful elite.

We stand against censorship.

We believe that the globalist media now exists to promote the interests of a powerful elite, rather than real Americans. Our values are being intentionally drowned out in a tidal wave of corrupt elitism.

We stand for family values.

The family is the foundational element in America's success as a global power, and the diminishment of the American family has heralded the decline of American culture. We must prioritize real family values to restore American exceptionalism.

We stand for you.

You can't be defined. Americans are powerful because of their individual uniqueness. We are divided once we begin to label ourselves. When we see each other through the perspective of race, gender, wealth, or other divisive categories, we lose our strength. We are strong because we have NoLabels.com.

We are strong because of YOU!

JOIN OUR COMMUNITY

Thousands of patriotic citizens who want to reclaim our American way of life just like you do have already joined our movement. Join us and find out what you can do to make the success of this movement a reality in your own backyard.

[Add Your Name >](#)

Want to Be A NoLabels.com Leader?

The NoLabels.com community stands ready to support you with information and a growing network of Americans looking for a return to American supremacy, working-class excellence, honorable values founded on the building blocks of Western Civilization, and a functioning Democracy like the one once enjoyed by our parents and grandparents.

NoLabels.com supporters are growing in numbers everyday!

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ATTACHMENT B

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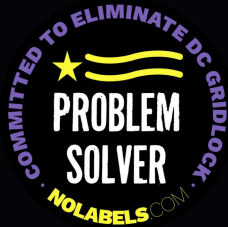
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embodying
resilience
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From Tulsi
Gabbard in
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Tyson
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Arizona, we
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U.S Speaker of
the House Rep.
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ATTACHMENT C

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<https://www.wsj.com/politics/elections/no-labels-party-third-presidential-ticket-04ee92f3>

POLITICS | ELECTIONS [Follow](#)

What to Know About No Labels and Its Possible Presidential Ticket

The centrist group, which doesn't disclose its donors, is weighing whether to offer a 2024 alternative to Trump and Biden

By [Julie Bykowitz](#) [Follow](#)

Nov. 14, 2023 10:00 am ET



No Labels says Americans don't want a rematch between Biden, who turns 81 this month, and Trump, a 77-year-old facing four criminal indictments. PHOTO: JACQUELYN MARTIN/ASSOCIATED PRESS

A political group called No Labels is trying to qualify for ballots in all 50 states so that it can field a presidential ticket next year. Its argument: Americans want an option other than President Biden and former President Donald Trump, who has a commanding lead in the GOP primary.

Here's a look at No Labels, its funding and how its presidential effort is going.

Is No Labels new?

Actually, no. Longtime Democratic fundraiser Nancy Jacobson founded it in 2009 with the aim of promoting centrist policies and bipartisanship in federal politics.

Before this 2024 presidential push, No Labels was probably best known for helping to start the House “Problem Solvers” caucus. In the 2018 midterm elections, the group spent millions of dollars trying to protect those members from primary challenges.

The group’s leadership includes Democrat-turned-independent former Connecticut Sen. Joe Lieberman, and Republican ex-Govs. Larry Hogan of Maryland and Pat McCrory of North Carolina, as well as Ben Chavis, a former NAACP executive director.

Is No Labels a political party?

No Labels says it isn’t, and right now it isn’t following the rules of a party, such as disclosing its donors.

ELECTION 2024



Why Third-Party Candidates Threaten Biden in 2024

group as a party—to No Labels’ chagrin. No Labels plans to dispute the state’s finding.

Expect more developments on the party-or-not front in the coming months.

Why did No Labels decide to get involved in the presidential race?

Not long after Biden took office, No Labels began polling on his re-election and surveying people across the country. The group says it found that the public is

A political party fields candidates up and down the ballot, year after year, No Labels says. Since it is only doing work to gain ballot access for one office during one election, it shouldn’t be considered a political party or forced to follow the rules of one.

Yet as it works to gain ballot access, it has to ask voters in some states to identify themselves as members of the No Label party. And the state of Arizona recently recognized the

fed up with “political leaders who fixate on yesterday’s hatreds and grievances instead of focusing on the future.”

Specifically, No Labels says, Americans don’t want a rematch between Biden, who turns 81 this month, and Trump, a 77-year-old former president facing four criminal indictments. In a recent Wall Street Journal poll, 58% of registered voters viewed each of them unfavorably, while 39% had favorable views of each.

This deep voter unease gives No Labels an opening to field what it calls a “Unity Ticket,” the group says.

So who would be the No Labels presidential candidate?

We don’t know—and No Labels says it doesn’t know yet either.

The group also hasn’t explained how it would choose its presidential and vice presidential candidates, saying only that it is working on criteria. It promised to reveal more about its would-be nominating process this fall.

That leaves political observers to speculate about who could be the chosen ones.

The group has a long relationship with Democrat Joe Manchin, a West Virginia senator who announced recently that he won’t run for re-election. But Manchin, at 76, isn’t exactly a fresh face, and No Labels officials have said it would be advantageous to run a Republican at the top of their ticket.

Hogan, a No Labels national co-chair, has flirted with the idea of a presidential run. Retiring Republican Utah Sen. Mitt Romney also has buzz as a potential presidential candidate and has been involved with No Labels; a Romney spokeswoman said he “is not considering running for president on any ticket.”

Another name that has popped up: Andrew Yang, a tech entrepreneur who sought the Democratic nomination in 2020. He told Politico that he has had conversations with people associated with No Labels.

The group won’t comment on any of that speculation.

When would No Labels announce its ticket?

The group says that after the Super Tuesday primary elections on March 5, it will evaluate whether its ticket has a realistic path to winning the electoral college. That is no easy task. No independent or third-party candidate has won even a single state since George Wallace in 1968.

If No Labels moves forward, it says it will reveal its presidential and vice presidential picks at an April convention in Dallas.

What are the chances a No Labels presidential candidate could win?

First, let's recall how the presidential election works. A candidate needs 270 out of 538 total electoral votes to win.

In all but two states, Nebraska and Maine, the winner receives all of the state's electoral votes. That is why places such as Nevada, Arizona and Pennsylvania, with their mixed politics and robust number of electoral votes, become so important.

No Labels says it believes its ticket could reach that magic number, even without winning the popular vote. Other political strategists, including some who work for the centrist group Third Way and the anti-Trump group the Lincoln Project, call that a pipe dream.

If no candidate reaches 270, the House of Representatives chooses a winner by having each state's delegation vote for a candidate. The winner would need 26 states. This has happened once in American history, in 1824 when the House chose John Quincy Adams over Andrew Jackson, who had won the popular vote. It didn't go over well.

The most likely role that No Labels would play in the 2024 election is that of spoiler. Political strategists, as well as election history, suggest an independent or third-party candidate would tip the race to Trump.

So how serious is this whole effort?

They are doing it. No Labels had qualified for the ballot in 12 states as of mid-November, most recently Mississippi. Other states where it will be on the ballot include Arizona and Nevada, both expected to be major presidential battlegrounds.

The group says it needs big money for this undertaking—the signature-gathering and court battles are both costly. Jacobson says No Labels has raised \$60 million so far.

Who is funding No Labels?

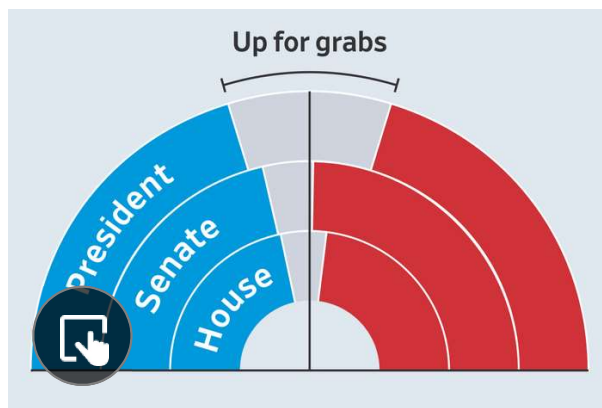
We don't know.

No Labels is primarily organized under the 501(c)(4) section of the tax code, meaning it is a nonprofit that doesn't have to disclose its donors.

That nonprofit status also means the public won't get a glimpse at how much money was really behind this 2024 project for years. No Labels raised about \$11.3 million in 2021, according to its most recent tax filing, from July.

No Labels-affiliated political-action committees, which do have to disclose donors to the Federal Election Commission, as well as news releases about events the group has held, provide some donor names.

ELECTION 2024



How the 2024 Election Could Be the Closest in a Generation

Harlan Crow, a billionaire real-estate developer, has hosted No Labels events. Investors Nelson Peltz and Howard Marks, hedge-fund manager Louis Bacon and former hedge-fund manager John Arnold helped fund the group's 2018 midterms project. There is no word on whether any of them have contributed to the 2024 presidential effort.

A No Labels 2024 super PAC had raised about \$1.5 million through the end of June, and its FEC filings

include about 50 donations of \$10,000 to \$50,000. Houston philanthropist Wilhelmina Robertson, whose family made a fortune in the oil industry, was the biggest donor, making two donations that totaled \$75,000. She couldn't be reached for comment.

Let's say No Labels does end up fielding a candidate. Would that person's funding still be secret?

No, according to No Labels. The group says its chosen ticket will register with the FEC, follow fundraising rules and report donors the way all presidential candidates do.

"If No Labels does end up offering our ballot line to an independent Unity Ticket, our organization will not help fund or run the campaign," the group says on its website.

Its super PAC could spend money on TV ads and other support the same way almost all candidates, including Biden and Trump, benefit from outside groups.

How is this all going over?

Not great, especially in Democratic power circles.

Former House Speaker Nancy Pelosi's blunt assessment at a November press conference: "No Labels is perilous to our democracy. I hesitate to say No Labels because they do have labels. They're called 'No Taxes for the Rich,' 'No Child Tax Credit for Children.' They're called 'Let's Undo the Affordable Care Act.'"

Biden also has called out the group's presidential effort—and specifically the role of Lieberman, its founding chairman.

Biden told the news organization ProPublica in an interview published last month that Lieberman knows the effort would help Trump. "That's a political decision he's making that I obviously think is a mistake. But he has a right to do that," Biden said.

The group insists it won't help Trump and instead will draw voters equally from both parties.

"No Labels' opponents in the political establishment wrap themselves in highflying rhetoric about protecting democracy when they are merely protecting their turf," Lieberman wrote Oct. 12 in a Journal opinion column. "This has been the two-party playbook for decades, and the resulting false binary choice hasn't served our country well."

Will there be other “No Labels” candidates on the ballot, say running for Senate?

The group said it is interested only in the presidential race. But there is already a big “but.”

Arizona elections officials say candidates for state offices can use the No Labels designation on the ballot, rejecting the group’s request that such moves be blocked. One of the aspiring No Labels candidates, Richard Grayson, compared his bid for the state’s utilities regulatory board to “a performance art piece.”

In Arizona, newly independent Sen. Kyrsten Sinema, who has worked with No Labels and has some donors in common with the group, hasn’t announced whether she will seek re-election. She could in theory use the No Labels ballot line.

What are other key moments to watch for?

With the clock ticking, No Labels is racing to make it onto all of the ballots it can. It still has 38 states to go, plus the District of Columbia.

Even after it wins ballot access in a state, the fight isn’t over. No Labels will be in court in Arizona, and it has been fending off an aggressive effort in Maine by the Democratic secretary of state, who has said its signature-gathering was misleading.

The big reveal, of course, would be the group’s chosen candidate, if it decides to field one.

Write to Julie Bykowicz at julie.bykowicz@wsj.com

ATTACHMENT D

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<https://www.wsj.com/articles/no-labels-wont-help-trump-win-presidential-election-third-party-candidate-aa8fca37>

OPINION | COMMENTARY [Follow](#)

No Labels Won't Help Trump

Our polling shows that a unity ticket would pull from both parties equally.

By Joe Lieberman

Oct. 12, 2023 4:37 pm ET

As No Labels works to gain ballot access for a potential 2024 independent presidential ticket, most of the vitriol directed at us comes from the Democratic establishment, which is anxious that we'll hurt President Biden and help elect Donald Trump. But if these concerns were well-founded, I wouldn't be a part of this effort.

No Labels has spent almost two years conducting extensive polling and modeling to understand our potential effect on the race and what our path to victory could be, including a poll late last year of more than 25,000 registered voters nationwide. It found that a moderate independent ticket would pull equally from both parties: 14% from registered Republicans, 14% from registered Democrats. This finding is backed by precedent: Ross Perot pulled equally from both parties in 1992.

Of course, since No Labels would be nominating a unity ticket that could include a Republican and Democrat as running mates, much depends not only on who the candidates are, but the order in which they appear on the ticket. In July and August we tested how the partisan breakdown of the ticket would affect the race by surveying 10,000 registered voters in the top eight presidential battleground states: Arizona, Florida, Georgia, Michigan, Nevada, North Carolina, Pennsylvania and Wisconsin.

The poll, conducted by HarrisX, found that a unity ticket led by a Republican presidential candidate had a stronger path to victory and drew more votes from

Mr. Trump than Mr. Biden in seven states, with North Carolina the sole exception.

Who will be on our ticket is still an open question, and we are currently determining the process by which that will be decided. But one thing is certain: We stand by our original pledge that we will nominate a ticket only if the American people want it and if the polling is clear that we won't be a spoiler.

For now, both conditions are being met. Our polling shows that an independent ticket has a legitimate and expanding path to victory. In December, 58% of registered voters said they'd be open to voting for a moderate independent ticket if Messrs. Trump and Biden were the alternatives. By the summer that figure had grown to 63%, and some of the most significant growth occurred among a segment of voters who could be described as liking Mr. Trump's policies but not Mr. Trump.

For any who are skeptical of No Labels's internal polling, let's remember that poll after poll shows that two thirds of Americans don't want a rematch of the 2020 election. A Gallup poll from October found that 63% of voters are open to a third party and that demand for an alternative is higher among Republicans than Democrats, suggesting that Mr. Trump could have more to lose from the entry of a viable third choice.

Of course, no one can know exactly what effect a third ticket would have, especially if you add a fourth or fifth ticket. While our data don't indicate that No Labels would hurt Mr. Biden, it's entirely plausible that Cornel West would, since he is running as a third party from the president's left. Similarly, reports indicate that the Trump team is preparing attacks against Robert F. Kennedy Jr. after its polling found that his independent run could take votes from Mr. Trump.

No Labels' opponents in the political establishment wrap themselves in high-flying rhetoric about protecting democracy when they are merely protecting their turf. This has been the two-party playbook for decades, and the resulting false binary choice hasn't served our country well. It's why a Pew Research Center poll last month found that support for both parties is at record lows, disgust and exhaustion with politics is at record highs, and voters are increasingly losing hope that it will get better.

In this environment, doing nothing is the greatest risk of all. No Labels is trying to do something to heal our broken politics. If we offer our ballot line to a presidential ticket in 2024, our purpose won't be to spoil the election but to enable a unity ticket to win. That would be unprecedented—but what about today's politics isn't?

Mr. Lieberman is founding chairman of No Labels. A Democrat and independent, he served as a U.S. senator from Connecticut, 1989-2013.

Appeared in the October 13, 2023, print edition as 'No Labels Won't Help Trump'.

ATTACHMENT E

The Washington Post

Democracy Dies in Darkness

Opponents of No Labels and other third-party presidential bids launch ads

One ad casts Robert F. Kennedy Jr., Cornel West and Jill Stein as campaigns that are likely to help Donald Trump win a second term in the White House



By Michael Scherer

December 4, 2023 at 5:18 p.m. EST

A bipartisan group founded to oppose the presidential effort of No Labels launched a small ad campaign Monday that casts any 2024 third-party effort as a threat to the nation's democratic norms that will help elect former president Donald Trump to a second term.

The initial \$100,000 ad buy by Citizens to Save Our Republic, a group led by former House minority leader Richard A. Gephardt (D-Mo.), broadens the group's focus beyond No Labels to cast the third-party campaigns of attorney Robert F. Kennedy Jr., scholar Cornel West and Green Party activist Jill Stein as similar threats that could hasten Trump's return to the White House.

"We are worried about any third party. We realize it is a free country. Anybody can run for president who wants to run for president," Gephardt said in a video conference call with reporters on Monday afternoon. "But we have a right to tell citizens the danger they will face if they vote for any of these third-party candidates."

No Labels, a nonprofit that urges bipartisan solutions, has launched a nationwide effort to get ballot access in all 50 states by next fall.

The initial ads by Citizens to Save Our Republic — which will run only in the D.C. area — are part of a larger campaign that the group is preparing to run in swing states next year if third-party efforts are appearing to draw significant support. The group said it plans to release its list of donors this week.

Democrats and anti-Trump Republicans are worried that President Biden needs to win the support of all voters who oppose Trump to win reelection. One ad describes Trump as the "anti-democracy candidate" before flashing images of Kennedy, Stein, West and the No Labels logo, arguing that any third-party group will help Trump. The other ad focuses on No Labels, describing the group as a "dark money" effort because it does not disclose its donors.

“The real threat to democracy is business as usual in Washington,” Kennedy said in a statement to The Washington Post responding to the ads. “Isn’t it a little ironic when Beltway insiders tell Americans that it’s dangerous to allow voters a choice?”

No Labels has been working this year to gain ballot access in anticipation of a third-party presidential bid next year. The group’s leaders call their effort an “insurance policy” and have said they will move forward with using its ballot line only if they are certain that there is a path to victory and that the effort will not reelect Trump. The organization recently canceled plans for an in-person convention in Dallas next year to focus on organizing an online nominating process for a bipartisan ticket.

The group has not publicly identified possible candidates, though multiple current and former officials have not ruled out seeking the nomination. They include Sen. Joe Manchin III (D-W.Va.), who recently said he will not seek reelection to the Senate, and former Maryland governor Larry Hogan, a Republican.

“They are welcome to waste six figures running ads in Washington talking to other party insiders,” No Labels senior adviser Ryan Clancy said in a statement Monday. “We’ll stay focused on the two-thirds of Americans who live everywhere else and want another choice in 2024.”

Kennedy and West have launched independent efforts to gain access to state ballots. Stein is running for the nomination of the Green Party, which claims ballot access in 21 states.

Recent hypothetical head-to-head polls have suggested early appetite for a third-party contender if Democrats and Republicans put forward a rematch of the 2020 election. A late October poll by Quinnipiac University found Kennedy polling at 22 percent in a three-way race. That number would qualify him for access to debates hosted by the Commission on Presidential Debates if he can maintain the support into next fall and can qualify for enough ballots to win the presidency.

Rep. Debbie Dingell (D-Mich.), former congressman Jim Greenwood (R-Pa.), former senator Bill Cohen (R-Maine) and former senator Doug Jones (D-Ala.) also spoke with reporters Monday on behalf of Citizens to Save Our Republic.

“Donald Trump is dedicated to dismantling, degrading and denigrating all of our institutions,” said Cohen, who also served as defense secretary under President Bill Clinton. “I have never felt more strongly that we are about 30 seconds from Armageddon in terms of the end of democracy.”

ATTACHMENT F



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ELECTIONS

No Labels throws a coming out party, stoking Dem fears of a third-party bid

The announcement represented the furthest the group has gone to commit itself to going forward with its unity-ticket project.



The problem for Democrats is that No Labels' overtures might resonate with moderate Republicans and independents, too. | Jacquelyn Martin/AP Photo

By **LISA KASHINSKY** and **SHIA KAPO**
07/17/2023 09:53 PM EDT
Updated: 07/18/2023 07:43 AM EDT



GOFFSTOWN, N.H. — The centrist group No Labels signaled on Monday it will present a candidate for a third party presidential ticket by Super Tuesday if it's clear by then the choices will be former President Donald Trump and President Joe Biden — and if the group sees public support for an alternative.

The announcement, hedged as it was, represented the furthest the group has gone to commit itself to going forward with its unity-ticket project. And it underscored the group's movement from a largely behind-the-scenes presence to a more visible force — one that has left Democrats increasingly alarmed

“I’ve never been in any race I’ve ever spoiled. I’ve been in races to win. And if I get in the race, I’m going to win,” he said. “With that being said, I haven’t made a decision.”

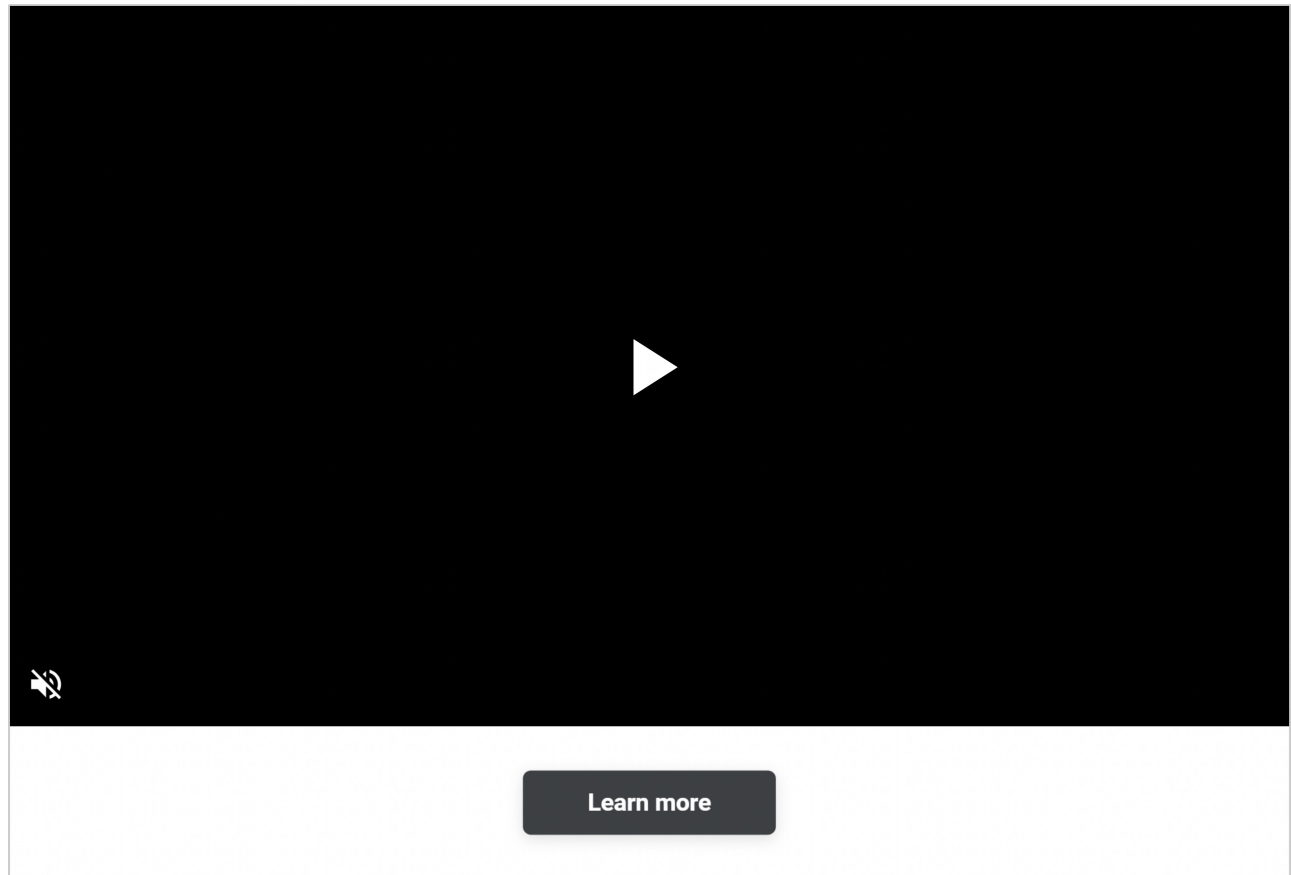
Appearing alongside Manchin on Monday was Republican Jon Huntsman. The former Utah governor similarly dodged questions about whether he could be part of a unity presidential ticket.



The politicians’ mere presence in the first-in-the-nation primary state sent top New Hampshire Democrats from Rep. Annie Kuster on down scrambling to slam No Labels as a “spoiler” effort that could pave a path to potentially return to the White House.

“Let me be clear: No Labels is trying to use a false message of unity to sow division,” Kuster said in a statement. “Their plan to run a third-party ticket in 2024 will pave the path for the most extreme, far-right candidate to win the White House — namely, former President Trump.”

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On the same day as the No Labels event, a new group of prominent Democrats and Republicans including former House Majority Leader Steny Hoyer (D-Md.) and former Rep. Dick Gephardt (D-Mo.) said it was launching a super PAC specifically to fight No Labels.

The group, Citizens to Save Our Republic, paired its launch with internal polling that suggested to them a No Labels candidate could tip the election in favor of Trump. That comes on top of public polling that shows [many Republicans and Democrats alike aren't thrilled](#) with the idea of a Biden-Trump rematch.

“[No Labels] is not a serious effort. But they do have potentially a very important role to play in swinging the election in battleground states,” former Rep. Tom Downey (D-N.Y.), who’s involved with Citizens to Save Our Republic, told POLITICO outside No Labels’ New Hampshire event.

“If Trump is the candidate, Joe Biden will win,” Downey said. “And the only way that he will not win is if we have third-party candidates on different ballots in different states.”

Pat McCrory, the former North Carolina governor who is working with No Labels, who introduced Manchin and who spoke on the group’s behalf, dismissed the backlash as nothing more than “operatives out of Washington, D.C., who want to just keep the status quo.”

“But I’m telling you it won’t work,” McCrory said on stage, flanked by Joe Lieberman, the former Democratic U.S. senator turned independent, and civil rights leader Benjamin Chavis Jr., the group’s national co-chair. “We’re going to get on the ballot.”

McCrory echoed No Labels’ [previous comments that a decision on whether to come forward](#) with an actual presidential candidate won’t come until after Super Tuesday.

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He said he hopes it won’t be necessary but that if by Super Tuesday “we see the final two candidates” as Trump and Biden, “we will present a president and vice president ... if we see we have an opportunity to win.”

If the choices are Trump and Biden, “That’s not the choice we want,” McCrory said.

Manchin brushed aside the counter-offensive against No Labels, saying “everybody has their motive.”

“The business of politics is big business,” Manchin told reporters after greeting some of the attendees packed into overflow rooms at Saint Anselm College.

“The politics in Washington is a better business model if they can keep you divided. We’re trying to say: ‘Hey boys, get off your high horse on the right and the left and come back together and let’s do our job.’”

The fear erupting among many Democrats and Trump-critical Republicans is that just enough voters will be attracted to the idea of another option, even though that option stands little chance of winning the Electoral College vote. No Labels’ call for a centrist White House and consensus governing might have enough resonance with enough of the electorate to matter.

Such a threat has united disparate factions within the Democratic ranks. Rahna Epting, executive director of the progressive MoveOn PAC said Manchin “should just say so and stop playing footsie with the dark money, MAGA funded No Labels.”

And the centrist Third Way [issued a one-pager](#) saying No Labels, for all its attention to the national debt, “does not have a single, serious idea of how to reduce it.”

It’s a reference to No Labels’ just-released “[Common Sense](#)” [policy agenda](#), which is inspired by Thomas Paine’s famed pamphlet calling for independence from England in 1776. No Labels’ agenda calls for lawmakers to bring down healthcare costs, “regain” control of the nation’s borders and “fix the criminal

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Even in the room for the town hall on Monday, several Democrats were voicing concerns about the impact No Labels could have on the outcome in 2024.

“It was interesting to see how many people came,” said Thalia Floras, a New Hampshire Democrat. “I’m very concerned about a third party and I wanted to be here to listen to what they have to say.”

In addition to Manchin and Huntsman, the No Labels event listed among participants former Republican Rep. Fred Upton of Michigan, former director of National Intelligence Dennis Blair and former South Carolina Rep. Joe Cunningham, whose name turned heads because he was recently endorsed by Biden for his bid to be South Carolina’s Democrat governor.

POLITICO requested interviews with Cunningham and Huntsman. No Labels initially agreed to make them available but then pulled back, saying reporters could instead ask questions during a question-and-answer session for reporters with Manchin and Huntsman.

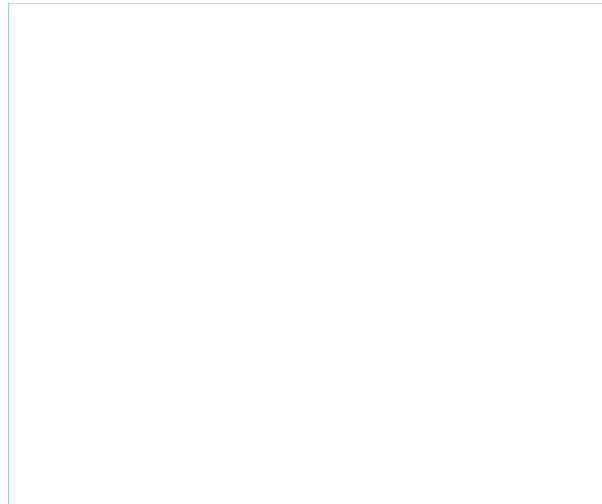
No Labels could be particularly damaging to Biden in New Hampshire, where the outside group could capitalize on both the state’s sizable share of independent voters and on Democrats’ anger over the president’s attempts to [strip the state of its prized first primary](#).

Steve Shurtleff, a New Hampshire lawmaker and former state House speaker who supported Biden’s 2020 bid but is now open to alternatives said the

“planets seem to be aligned” for No Labels to make a serious play in the state.

“I personally like Joe Biden. I’ve always supported him. I was one of his presidential electors two years ago,” Shurtleff said in an interview. “But I wish he would step down and not run.”

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Asked after No Labels made its case in New Hampshire whether he would be open to supporting the group’s presidential candidate, Shurtleff said:

“Depending on the ticket and poll numbers between Biden and Trump, yes I would.”

Kathy Sullivan, a former Democratic National Committeeperson from New Hampshire, dismissed the idea that Democrats dissatisfied with Biden would flock to No Labels instead, saying the group has “been around for a while and never taken off.”

“Most Democrats in New Hampshire are not happy with the situation with the [primary] calendar,” Sullivan said. “But to try to hurt the incumbent Democratic president because you’re in a snit about something?”

The problem for Democrats is that No Labels’ overtures might resonate with moderate Republicans and independents, too.

New Hampshire Gov. Chris Sununu, a Republican who flirted with running for president before ultimately abandoning the idea, said No Labels “has a shot at

being viable.”

“Most of the country doesn’t want either” Trump or Biden, Sununu told reporters at the No Labels town hall. “They’re just trying to fill that void.”

Mia McCarthy contributed to this report.

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Karen Willson
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In the late 80's, I worked at Jim McMullen's in NYC. One night after we closed the restaurant, A future US president came in with his then-wife Ivana, their kids, and their friends. There were about 12 of them. The check was about \$1,300. Jim said, 'No check' and brushed me away. When I bussed the table after, under Donald's plate was a neatly foaldd note

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A No Labels presidential candidate can't win — but could determine who does

BY ALBERT HUNT, OPINION CONTRIBUTOR - 05/07/23 12:00 PM ET

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Getty Images

No Labels, a self-styled centrist organization, is looking into running a third-party presidential candidate next year. It's either a case of delusion, an ego trip or something worse.

No Labels says it's raising \$70 million to get on all 50 state ballots. It has a blue-ribbon panel of supporters and advisers. What it doesn't have is any serious chance of electing what it considers a moderate independent as president of the United States.

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The organization was launched more than decade ago by a Democratic fundraiser with the aim of forging bipartisan, centrist policies. It has achieved success on Capitol Hill.

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No Labels rejects this. It released a 26,000-voter survey showing that 64 percent of voters want options other than Democrats and Republicans, and that 59 percent said they'd be open to voting for a moderate independent presidential ticket if the alternative were a rerun of Trump v. Biden.



Prominent pollsters are very skeptical of these claims.

“In a contest with Biden and Trump, there is no way a No Labels candidate could win,” Whit Ayres, a leading Republican pollster, told me. “That candidate couldn’t win any states; they’d get zero electoral votes.”

Fred Yang, a leading Democratic poll taker, is only a bit less skeptical. “With the dissatisfaction of both Republicans and Democrats, it looks like an opening,” he noted, “But it’s a real leap to say that once there is an actual candidate and a platform that would be sustainable.”

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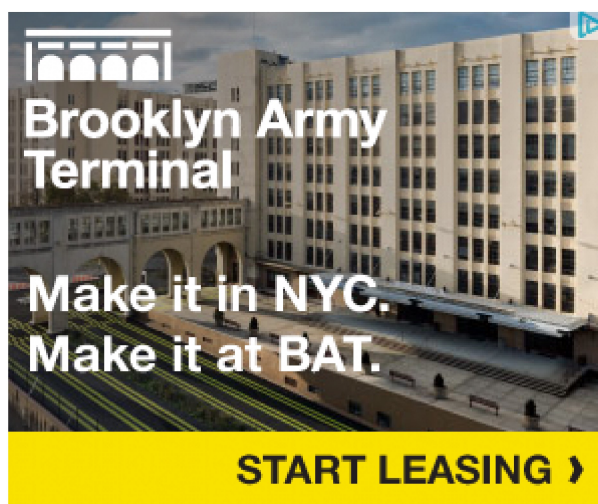
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But it might, as Ayres observed, affect the outcome. In 2000 Green Party candidate [Ralph Nader](#) got less than 3 percent of the vote, but that was enough to cost Democrat Al Gore the presidency. Most experts I spoke with tend to agree with Democratic consultant [Paul Begala](#), who [charged](#) that in a Biden-Trump rematch, a No Labels candidate “almost certainly would elect Mr. Trump.”

There is considerable political alienation among the electorate. Large numbers of Americans are not satisfied with the prospect of another Biden-Trump race. But this sense of alienation isn’t new.

Rep. John Anderson (R-Ill.) waged a third-party candidacy in 1980, as did Ross Perot in 1992.

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The effort of No Labels reminds me of American Elect, which, fed up with the two major parties and armed with a well-heeled, blue-chip, bipartisan advisory board, vowed to get on all 50 state ballots with a common sense, centrist presidential candidate in 2012.

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No Labels has rich supporters. Its superpac and affiliated groups have donated to scores of congressional candidates of both parties. They can choose which ones and not worry that their positions vary.

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That won't be the case if, as promised, they release a platform this fall and have to take positions on abortion, taxes, health care, immigration and Ukraine. That's before choosing any possible candidate.

Joe Lieberman, the former Democratic senator from Connecticut and founding chair of No Labels, has said voters are so unhappy "with the choice of President Trump or

Biden, they want a third alternative." He has insisted that a No Labels candidate would not hurt Biden.

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In an interview a few days ago, Lieberman had generally positive things to say about Biden, but not about Trump. “He has made our politics and society more venal, and threatened the basic premise of our legal system,” Lieberman said of the latter. “That disqualifies him from ever holding office.”

Lieberman said that running a presidential candidate is “just an insurance policy; I’m not sure we would use it.” He said No Labels will decide next March.

Albert Hunt is the former executive editor of Bloomberg News. He previously served as reporter, bureau chief and Washington editor for The Wall Street Journal. For almost a quarter century he wrote a column on politics for The Wall Street Journal, then The International New York Times and Bloomberg View. He hosts “[Politics War Room](#)” with James Carville. Follow him on Twitter [@AlHuntDC](#).

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